

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

LLOYD KUNTZ,)
)
Petitioner,)
)
v.) Case No. 4:03CV1805 RWS
)
KELLY LOCK,)
)
Respondent.)

MEMORANDUM AND ORDER

This matter is before the court on Lloyd Kuntz's pro se petition for writ of habeas corpus under 28 U.S.C. § 2254 [#2]. Pursuant to 28 U.S.C. § 636(b), this matter was referred to United States Magistrate Judge Lewis M. Blanton , who filed his Report and Recommendation on January 16, 2007 [#12]. It is Judge Blanton's recommendation that the petition be denied and that no certificate of appealability be issued.

The parties were advised that they had eleven (11) days to file written objections to the Report and Recommendation. Neither party has filed an objection.

After careful consideration of the Report and Recommendation,

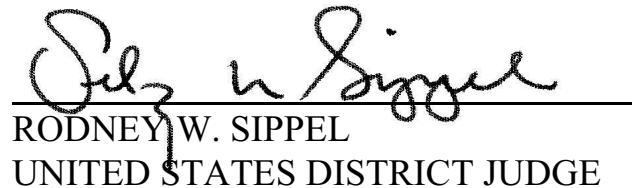
IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge [#12] is **SUSTAINED, ADOPTED AND INCORPORATED** herein.

IT IS FURTHER ORDERED that Petitioner's Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 [#2] is **DENIED**.

IT IS FURTHER ORDERED that the Court will not issue a Certificate of Appealability.

A separate judgment in accordance with this Memorandum and Order is entered this same date.

Dated this 30th day of January, 2007.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE